

PART B- FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**
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(703) 746-4000
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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22930

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01/06/2005

HOWREY SIMON ARNOLD & WHITE LLP
 c/o IP DOCKETING DEPARTMENT
 2941 FAIRVIEW PARK DR, SUITE 200
 FALLS CHURCH, VA 22042-2924



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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/536,663	03/27/2000	Gary L Gastineau	11657-002001	3493

TITLE OF INVENTION: DETERMINING INTRA-DAY NET ASSET VALUE OF AN ACTIVELY MANAGED EXCHANGE TRADED FUND

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	04/06/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
GREENE, DANIEL L	3621	705-050000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Howrey Simon
 Arnold & White, LLP

2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

The American Stock Exchange, LLC

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

New York, NY

02/22/2005 HBEYENE2 00000106 083038 09536663

 01 FC:1501
 02 FC:8001

 1400.00 DA
 30.00 DA
Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 08-3038 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date February 17, 2005Typed or printed name Michael J. StimsonRegistration No. 45,429

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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February 17, 2005



Mail Stop Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Confirmation No. 3493

Re: Allowed U.S. Patent Application No. 09/536,663
Filed: March 27, 2000
For: **Determining Intra-Day Net Asset Value of an
Actively Managed Exchange Traded Fund**
Inventors: Gary L. GASTINEAU
Our Ref: 00322.0008.NPUS00

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Part B – Fee(s) Transmittal (Form PTOL-85); and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge \$1,430.00 [to cover the Issue Fee (\$1,400), and Advanced Copy Fee (\$30)], as well as any fee deficiency or credit any overpayment, **to our Deposit Account No. 08-3038**, referencing the above docket number. *A duplicate copy of this letter is enclosed.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Bell'.

Michael J. Bell (Reg. No. 39,604)

Michael J. Stimson (Reg. No. 45,429)

Enclosures